MONTANA LEGISLATIVE HISTORY

Chapter 277 1983

Bill H 489 S _____ Original bill & history ✓ C

H. Committee on State Admin			S. Committee on Judiciary		
Hearing Date(s)	1/31	nothing C	Hearing Date(s)	3-14	✓ C
	2/2	[redacted] C			C
	2/10	✓ C			C
		C			C
Date Out	2/10	C		out 3-14	

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

The Law Library has no subcommittee minutes. The Montana Historical Society (406-444-2681) may have, if minutes were taken.

House Floor

2-14 2nd reading

2-15 3rd reading

Senate Floor

3-15 2nd reading

3-17 3rd reading

revised 1-27-16

by rg

2ND READING: 03/04/83 AYES: 47; NAYS: 0
3RD READING: 03/07/83 AYES: 48; NAYS: 0

RETURNED TO HOUSE: 3/7/83

TRANSMITTED TO GOVERNOR: 03/18/83
SIGNED: 03/22/83, CHAPTER 186

HB 488 -- HEMSTAD -- EXCEPTING CERTAIN SAFETY DEVICES FROM THE MEASUREMENT OF VEHICLE WIDTH; AMENDING ...

INTRODUCED: 01/25/83
REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION: 01/25/83
HEARING: 2/1/83
REPORT: 02/01/83, DO PASS, AS AMENDED
REREFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION: 02/02/83
REPORT: 02/07/83, DO PASS, AS AMENDED
2ND READING: 02/09/83, DO PASS AYES: 84; NAYS: 0
3RD READING: 02/11/83, DO PASS AYES: 99; NAYS: 0

TRANSMITTED TO SENATE: 2/11/83
REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION: 02/12/83
HEARING: 3/1/83
REPORT: 3/2/83, BE CONCURRED IN, AS AMENDED
2ND READING: 03/04/83 AYES: 47; NAYS: 0
3RD READING: 03/07/83 AYES: 46; NAYS: 2

RETURNED TO HOUSE WITH AMENDMENTS TO STATEMENT OF INTENT: 3/7/83
2ND READING: 03/09/83, BE CONCURRED IN AYES: 85; NAYS: 7
3RD READING: 03/10/83, BE CONCURRED IN AYES: 94; NAYS: 1

TRANSMITTED TO GOVERNOR: 03/15/83
SIGNED: 3/17/83, CHAPTER 109

HB 489 -- BARDANOUVE -- TO GENERALLY REVISE LANGUAGE IN EXISTING CODE SECTIONS TO CONFORM TO THE TREASURY FUND STRUCTURE TERMINOLOGY AS ESTABLISHED BY CHAPTER 28, LAWS OF 1981, AS REQUIRED BY CHAPTER 28, SECTION 5, LAWS OF 1981; INSTRUCTING THE CODE COMMISSIONER TO MAKE THE CHANGES; AND PROVIDING AN EFFECTIVE DATE.
BY REQUEST OF: THE DEPARTMENT OF ADMINISTRATION

INTRODUCED: 01/25/83
REFERRED TO COMMITTEE ON STATE ADMINISTRATION: 01/25/83
HEARING: 2/2/83
REPORT: 02/11/83, DO PASS, AS AMENDED
2ND READING: 02/14/83, DO PASS AYES: 88; NAYS: 1
3RD READING: 02/16/83, DO PASS AYES: 98; NAYS: 1

TRANSMITTED TO SENATE: 2/16/83
REFERRED TO COMMITTEE ON JUDICIARY: 02/17/83
HEARING: 3/14/83
REPORT: 03/14/83, BE CONCURRED IN
2ND READING: 03/16/83 AYES: 48; NAYS: 0
3RD READING: 3/18/83 AYES: 50; NAYS: 0

RETURNED TO HOUSE: 03/18/83

TRANSMITTED TO GOVERNOR: 03/25/83

SIGNED: 03/29/83, CHAPTER 277

HB 490 -- FABREGA -- GENERALLY REVISING THE LAWS CREATING THE STATE BOARD OF ARCHITECTS AND RELATING TO THE LICENSURE OF ARCHITECTS BY THE STATE; GRANTING THE BOARD THE AUTHORITY TO ADOPT RULES; AMENDING ...
BY REQUEST OF: THE BOARD OF ARCHITECTS

INTRODUCED: 01/25/83
REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY: 01/25/83
HEARING: 2/1/83
REPORT: 02/01/83, DO PASS, AS AMENDED
2ND READING: 02/03/83, DO PASS AYES: 90; NAYS: 1
3RD READING: 02/05/83, DO PASS AYES: 84; NAYS: 6

TRANSMITTED TO SENATE: 2/5/83
REFERRED TO COMMITTEE ON STATE ADMINISTRATION: 02/07/83
HEARING: 3/4/83
REPORT: 03/12/83, BE CONCURRED IN, AS AMENDED
2ND READING: 03/15/83 AYES: 49; NAYS: 0
3RD READING: 03/17/83 AYES: 47; NAYS: 0

RETURNED TO HOUSE WITH AMENDMENTS: 03/17/83
2ND READING: 03/31/83, BE CONCURRED IN AYES: 84; NAYS: 0
3RD READING: 04/01/83, BE CONCURRED IN AYES: 85; NAYS: 0

TRANSMITTED TO GOVERNOR: 04/12/83
SIGNED: 04/14/83, CHAPTER 490

HB 491 -- DOZIER, WILLIAMS -- AMENDING SECTION ..., TO PROVIDE FOR PAYMENT OF EXPENSES OF COUNTY ASSESSORS ATTENDING MEETINGS AND CONVENTIONS.

INTRODUCED: 01/25/83
REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 01/25/83
HEARING: 2/12/83
REPORT: 02/14/83, DO PASS
2ND READING: 02/15/83, DO PASS AYES: 80; NAYS: 13
3RD READING: 02/17/83, DO PASS AYES: 87; NAYS: 12

TRANSMITTED TO SENATE: 2/17/83
REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 02/18/83
HEARING: 3/5/83
REPORT: 3/18/83, BE CONCURRED IN
2ND READING: 03/22/83 AYES: 22; NAYS: 13
3RD READING: 03/24/83 AYES: 36; NAYS: 12

RETURNED TO HOUSE 3/24/83

TRANSMITTED TO GOVERNOR: 03/31/83
SIGNED: 04/04/83, CHAPTER 367

HB 492 -- DOZIER -- TO PROVIDE THAT ALL TRAILERS LICENSED FOR A GROSS WEIGHT OF 18,000 POUNDS OR LESS ARE CLASS EIGHT PROPERTY FOR THE PURPOSE OF TAXATION AND THAT ALL TRAILERS LICENSED FOR A GROSS WEIGHT EXCEEDING 18,000 POUNDS ARE CLASS TEN PROPERTY; AMENDING ....

INTRODUCED: 01/25/83
REFERRED TO COMMITTEE ON TAXATION: 01/25/83

House BILL NO. 489

INTRODUCED BY [signature]

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE LANGUAGE IN EXISTING CODE SECTIONS TO CONFORM TO THE TREASURY FUND STRUCTURE TERMINOLOGY AS ESTABLISHED BY CHAPTER 28, LAWS OF 1981, AS REQUIRED BY CHAPTER 28, SECTION 5, LAWS OF 1981; INSTRUCTING THE CODE COMMISSIONER TO MAKE THE CHANGES; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Earmarked revenue funds renamed. (1) Wherever in the following code sections the term "earmarked revenue" appears, it is changed to "a special revenue": 7-14-303, 7-21-2105, 13-37-304, 15-1-501, 15-10-105, 15-24-923, 15-24-924, 15-24-1001, 15-70-101, 15-70-102, 15-70-312, 15-71-104, 16-1-404, 16-1-410, 16-1-411, 16-11-124, 17-3-201, 18-6-103, 19-11-513, 19-11-514, 19-11-606, 19-13-1006, 20-7-501, 20-9-331, 20-9-333, 20-9-342, 20-9-343, 20-9-352, 22-2-107, 22-2-109, 23-1-105, 23-2-512, 23-2-611, 23-2-612, 23-2-615, 23-2-616, 23-2-619, 23-2-644, 23-4-305, 37-3-314, 37-4-202, 37-4-327, 37-6-305, 37-7-324, 37-8-431, 37-8-432, 37-9-306, 37-10-203, 37-10-313, 37-11-203, 37-11-304, 37-12-308, 37-14-311, 37-15-310, 37-16-408, 37-17-307, 37-18-308, 37-20-302, 37-30-201, 37-31-324, 37-32-305, 37-40-305, 37-42-309, 37-43-202, 37-43-303, 37-50-315, 37-51-206, 37-51-207, 37-51-208, 37-51-311, 37-60-313, 37-65-304, 37-65-307, 37-66-307, 37-67-317, 37-68-313, 37-69-308, 39-71-205, 44-1-501, 44-3-302, 50-15-111, 50-60-508, 50-71-325, 53-2-205, 53-24-108, 60-3-303, 61-3-102, 61-3-103, 61-3-108, 61-3-204, 61-3-321, 61-3-406, 61-3-502, 61-8-204, 61-10-126, 61-10-148, 61-10-226, 61-12-701, 61-12-703, 67-1-301, 67-1-303, 69-1-223, 70-2-113, 75-1-205, 75-2-211, 75-2-212, 75-2-427, 75-6-104, 75-15-122, 75-20-112, 75-20-215, 75-20-408, 76-4-1108, 76-4-1212, 76-4-1213(3), 76-15-530, 76-16-106(2), 77-1-604, 77-5-204, 80-4-119, 80-4-307, 80-7-704, 80-9-207, 80-10-104, 80-10-207, 80-10-208(5), 81-1-103, 81-2-102(1)(c), 81-3-107, 81-3-205, 81-3-210, 81-3-211, 81-3-214, 81-3-216, 81-3-222, 81-3-231, 81-4-606, 81-7-104, 81-7-105, 81-7-118, 81-7-119, 81-7-120, 81-7-122, 81-7-504, 81-8-256, 81-8-304, 81-9-113, 81-9-411, 81-23-202, 81-23-204, 81-23-403, 82-4-311, 82-11-135, 85-2-124, 85-2-241, 85-2-242, 85-2-318, 85-3-213, 87-1-104, 87-1-201, 87-1-206, 87-1-405, 87-2-113, 87-2-204, 87-4-104, 87-4-602, 87-4-808, 87-5-509(3), 90-4-103, 90-6-211, 90-6-304.

(2) Wherever in 2-15-3005 the term "earmarked revenue" appears, it is changed to "enterprise".

(3) Wherever in 85-1-332 the word "earmarked" appears,

INTRODUCED BILL

HB1169

LC 1124/01

it is changed to "special revenue".

Section 2. Federal and private revenue funds renamed. (1) Wherever in the following code sections the term "federal and private revenue" appears, it is changed to "a special revenue": 17-3-1003, 39-51-406, 53-24-104, 76-13-209, 80-11-203, 80-11-210, 80-11-223, 80-11-310, 81-8-610, 81-8-805.

(2) Wherever in 18-2-107 the term "federal and private revenue" appears, it is changed to "capital projects".

Section 3. Revolving funds renamed. (1) Wherever in the following code sections the term "revolving fund" appears, it is changed to "a special revenue fund": 1-11-301, 2-4-312, 2-4-313, 2-18-403, 5-11-209, 5-13-403, 17-8-305, 61-12-504.

(2) Wherever in the following code sections the term "revolving fund" appears, it is changed to "enterprise fund": 2-7-503, 2-7-516, 2-7-518, 16-2-108, 20-3-108, 20-7-201, 67-11-222.

(3) Wherever in the following code sections the term "revolving fund" appears, it is changed to "enterprise or internal service fund": 18-6-101, 18-6-103.

(4) Wherever in 18-5-203 the term "revolving fund" appears, it is changed to "internal service fund".

Section 4. Code commissioner instruction. The code commissioner shall change the MCA sections listed in

sections 1 through 3 in accordance with this act and may make incidental changes as necessary to reflect the intent of these sections as amended by this act without changing the meaning.

Section 5. Effective date. This act is effective July 1, 1983.

-End-

STATUS SHEET

HOUSE STATE ADMINISTRATION COMMITTEE

48th Legislature

l No.	Subject Matter	Date In	Sponsor	Hearing Date	Committee Action	Date Out
IB 487	Police and Firefighters' retirement acts, clarifying death benefit payment; defining spouse and child	1/25/83	O'Connell	1/31/83	DO PASS	1/31/83
IB 489	Treasury fund structure, conforming code language, instructing code commissioner	1/25	Bardanouve	1/31	1/31 hold to 2/2 2/2 to sub-com. 2/10 DO PASS AS AMENDED	2/10
HB 493	Procurement, state; granting rulemaking authority to Dept. of Administration	1/25	Yardley	1/31	1/31 to sub-com. 2/7 held 2/10 DO PASS AS AMENDED	2/10
B 505	Board of Housing, revising code language regarding Treasury Fund Structure	1/26	Bardanouve	2/2	2/2 to sub-com. 2/10 DO PASS	2/10
IB 506	"Construction", adding "repair" and "maintenance" to definition; exempting projects from requirements	1/26	Yardley	2/3	DO PASS	2/3
IB 521	Ballot issues, requiring prior notice to persons serving on argument committees; voluntary service	1/27	Vincent	2/3	DO PASS AS AMENDED	2/3

rm CS-32
81

MINUTES OF THE MEETING OF THE HOUSE STATE ADMINISTRATION COMMITTEE
February 2, 1983

CHAIRMAN JOE BRAND called the meeting to order at 8 a.m. in Room 129 of the Capitol. All members were present.

CHAIRMAN BRAND CALLED THE COMMITTEE INTO EXECUTIVE SESSION BY CALLING FOR ACTION ON HOUSE BILL 52.

EXECUTIVE SESSION

HOUSE BILL 52

REPRESENTATIVE KATHLEEN McBRIDE said that her subcommittee has decided House Bill 52 is unneeded under present law. She said there are remedies in the law now. She said the subcommittee got a list from the attorney for the Campaign Commissioner's office of remedies that now exist in the law. Rep. McBride recommended the Committee table the bill, show its sponsor, REPRESENTATIVE JOHN SHONTZ, the list from the Campaign Commissioner Attorney, and see if he wants to pursue the bill.

REP. McBRIDE MOVED that House Bill 52 be TABLED. REP. WALTER SALES SECONDED. The question being called, the MOTION CARRIED by unanimous voice vote. House Bill 52 was TABLED.

HOUSE BILL 79

Rep. McBride noted that House Bill 79, REPRESENTATIVE KEN NORDTVEDT'S salary bill, had much work invested by the committee and the subcommittee. She said a fiscal note attached to the measure was speculative at best. She said it would use a formula contained in an amendment to index elected officials salaries. In her words, "It doesn't make it any easier to deal with large increases." She said the Legislature would always have the perogative of changing the formula.

REPRSENTATIVE SALES, who was a co-sponsor of House Bill 79, conceded the bill would always produce a lagging effect in the salaries of elected officials because it is based on a previous three-year factor. He said the Legislature could always disregard the bill, and "every Legislature would be under pressure to raise or lower it."

Rep. McBride said the key to the bill is the initial establishment of base salaries against which the future factor would be applied. She said that would probably be "the biggest fight over this bill."

Rep. Sales said those who are set with high salaries would do well by the bill from here on out, while the ones with low salaries would get less.

Rep. Sales said, "We're shafting the largest group of voters in the state -- the independents -- with this bill. Those last 30 days can be quite important."

Rep. Pistoria said that in the case when one declares 30 days prior to an election, what happens then -- can you go one way or the other? Several committee members answered in the negative.

Chairman Brand noted that the committee already killed an open primary bill, and this was the only alternative before the state of Montana or the political parties go to court.

Rep. Helen O'Connell said that she regarded the voting booth as a confessional, and entitled to all the privilege and privacy of a confessional. With this, however, "it's wide open."

REPRESENTATIVE FRANCIS KOEHNKE said, "It's nobody else's business."

Rep. Phillips said the bill would "help the party maintain discipline." But, he said, with this bill he believes voting in primaries would go down immensely.

The question being called, the MOTION FAILED on a roll-call vote by a vote of 11 "NAYS" and 8 "AYES".

REP. PHILLIPS MOVED House Bill 411 DO NOT PASS AS AMENDED, REP. BLISS SECONDED. Chairman Brand asked for, and received, the consent of the committee to reverse the previous roll-call vote, to indicate the Phillips' MOTION PASSING by a vote of 11 "AYES" and 8 "NAYS".

CHAIRMAN BRAND TOOK THE COMMITTEE FROM EXECUTIVE SESSION AND ASKED REPRESENTATIVE O'CONNELL TO CHAIR THE PORTION OF THE COMMITTEE FOR HEARING BILLS.

<u>HOUSE BILLS 489,505, 530, 531, 532, 533</u>

VICE CHAIRMAN O'CONNELL called for a joint hearing on House Bills 489,505,530, 531, 532,&.533, REPRESENTATIVE FRANCIS BARDANOUVE, sponsor of the measures, stated that the six bills were house-keeping measures to bring code language into compliance with two measures passed by the 1981 Legislature, House Bills 341 and 482.

Rep. Bardanouve said House Bill 341 from 1981 would adopt "generally accepted accounting principles" in appropriate code language, and House Bill 482 would change the names of the funds. He said the effective dates on those measures were delayed until 1983 in order to provide for these house-keeping bills in this session. Rep. Bardanouve said these bill were necessary in order for the state to receive more favorable interest rates on bonds. He said adoption of this kind of language, "generally accepted accounting principles," could boost interest rates on state bonds by 1/8 to 1/4 of 2 percent. He said on several million dollars worth of bonds, "that is a substantial amount of money."

Rep. Bardanouve noted that general accepted accounting principles (GAAP) provide a "yardstick" used by the accounting and finance industries. He said that in the wake of the New York City bonding fiasco, bond companies are becoming nervous about various accounting systems. He said the bond companies prefer that governments adopt GAAP. Otherwise, he said, governments can have debts that don't appear on balance sheets. He said the absence of GAAP is a negative factor in the review and rating of bonds. He said it makes it harder to sell bonds without GAAP.

Some of the changes Rep. Bardanouve said would be made by the six bills would be to describe "earmarked revenue" as "special revenue funds"; "debt service fund" as "enterprise fund"; "internal service funds" as "inter-agency charges."

He said the bill would enable our bond buyers to know what we have and when. He said it would save money for Montana. Rep. Bardanouve also distributed two handouts relevant to the measures (attached).

PROPONENTS

Morris Brusett, Director of the Department of Administration, spoke for the bills, calling them "very necessary."

JUDY RIPPINGALE, Legislative Fiscal Analyst, noted some problems with the bills. With regard to the Special Revenue Fund, she said, the bill would no longer indicate whether revenue comes from federal or state sources. She said this is not required under GAAP, but is helpful in the Legislative budgeting process. She suggested that changes could be made in the bills to still comply with GAAP but also identify two separate sub-funds within a special revenue fund.

REPRESENTATIVE GLENN MUELLER asked Rep. Bardanouve if he had any problems with Rippingale's recommendation. Rep. Bardanouve said he would like to have the changes made if GAAP could be maintained. Rep. Mueller asked Brusett if this was possible. Brusett said he did not see the necessity of putting the extra information in there, but he did not feel strongly about it. He said, however, the Legislative Auditor's office does.

WAYNE KETTISH, the Audit Manager of the Legislative Auditor's office, spoke against Rippingale's suggestion. He called it "not necessary. It reduces legislative flexibility," he said. "You may want changes in the future but this bill makes it hard to change. Some funds don't fit in with this." Kettish suggested reviewing accounting titles as an alternative to Rippingale's suggestion.

Chairman Brand asked whether it would be better to know of the additional information about money, where it comes from and where it goes? Kettish said the current budget was done in a "transition mode." He suggested that another bill be used to track federal funds without getting into the matter of special revenue funds.

Chairman Brand asked Kettish about the practice of other states. Kettish said the system may be used in other states, because their are "hundreds and hundreds of ways" to operate the books.

Rep. Mueller asked Kettish if he thought that Rippingale's suggestions could be solved with internal bookkeeping. Kettish said that the problem is that agencies often place money in the wrong fund and a problem arises as to how to settle the dispute -- through emergency funding or just the wrong deposit of funds.

Rep. Joe Hammond asked Kettish if he was saying that a separate bill would take care of the problem. Legislative Fiscal Analyst Rippingale said the problem that Kettish describes is a theoretical problem with a theoretical solution, and those sorts of solutions prove to be impractical in reality.

Rep. Hammond asked if Rippingale was recommending the committee go through 235 amendments and change the language. Rippingale said that was the most ideal.

Rep. Mueller asked if a separate bill was possible. Rippingale said it was, but it would be more clear if the changes were handled in the six bills.

Chairman Brand asked Brusett if this would take long to do. Brusett said no, it would just require drafting of amendments.

Rep. Paul Pistoria asked Bardanouve what he thought of Rippingale's suggestion. Rep. Bardanouve said he would probably oppose anything that would complicate the bills.

Rep. Hand asked Kettish if he would oppose Rippingale's suggestion. Kettish said he would not but he thought that his suggestions were better. He said it would work "either way."

THERE BEING NO FURTHER PROPONENTS, AND NO OPPONENTS TO THE SIX BILLS, REPRESENTATIVE BARDANOUVE CLOSED.

Chairman Brand suggested the bills be assigned to a committee to bring the various factions together. Chairman Brand appointed Rep. Hammond chairman of the subcommittee and appointed Reps. Bardanouve and Smith to serve on the subcommittee.

THE MEETING WAS DECLARED ADJOURNED.

Joe Brand

REPRESENTATIVE JOE BRAND, Chairman

MINUTES OF THE MEETING OF THE HOUSE STATE ADMINISTRATION COMMITTEE
February 10, 1983

The House State Administration Committee met at 8 a.m., February 10, 1983, in Room 129 of the Capitol. CHAIRMAN JOE BRAND presided. All members were present.

Chairman Brand opened discussion of bills in committee with House Bill 639, introduced by REP. STEVE WALDRON, who said it is the opinion of both the Department of Administration and the Department of Commerce that combining all functions that deal with local government in one spot provides for better and cleaner administration. It also allows local governments to go to one place to deal with all the services that are provided for them.

CHERYL HUTCHINSON from the office of the Lt. Governor spoke in support of HB 639. (Her testimony is attached.)

NANCY LEIFER of the Department of Commerce spoke in support of HB 639. (Her testimony is attached.)

DAVE ASHLEY of the Department of Administration spoke in support of HB 639. "Our interest is simply in seeing that the services provided by the department are provided in the best location in state government. The function of the Department of Administration is mostly one of service to state agencies. The Department of Commerce is in the business of helping business and other communities and working with economic growth in the state of Montana. It seems appropriate that we see that division transferred to the Department of Commerce."

GEORGE PENDERGAST, administrator of the Local Government Services Division in the Department of Administration, spoke in favor of HB 639. "The citations that you see on HB 639 essentially are comprised of statutes dealing with local government, including accounting for local government, the audit of local government, the destruction and retention of records and pledged securities. I am here to support HB 639 because we feel the Department of Commerce will offer the services that will complement local government."

GEORGE BOUSLIMAN, lobbyist for the Urban Coalition, spoke in support of HB 639.

There were no opponents to HB 639. Rep. Waldron closed by saying: "There will be some very minimal fiscal impact. The Department of Commerce will have to be reimbursed by the Department of Administration." He did not have the figures at this time.

entered into that is longer than three years and exceeds $25,000. Rep. McBride had concerns about including local governments into this act at their option. That amendment is on the last page." (Amendments attached.)

REP. KOEHNKE MOVED and REP. SMITH SECONDED TO ACCEPT THE AMENDMENTS.

VICE-CHAIRMAN O'CONNELL, in the absence of the Chairman, asked if there was any more discussion on the amendments.

Rep. Mueller: "On Amendment 20, what was the amount of money before?"

Rep. Koehnke: "It was originally $500,000 and Francis (Bardanouve) said he didn't mean that."

Rep. Driscoll: "I thought there was going to be an amendment that gives preference to local contractors."

Lois Menzies: "It is not addressed in the amendments; I am not certain that it is addressed in the bill."

MORRIS BRUSSET, Director of the Department of Administration: "We have in the procurement bill that there is a preference for local contractors for printing."

Rep. Driscoll: "Is there anything in this bill or in the law for enforcement of that?"

Morris Brusset: "We are responsible for enforcement of the in-state preference."

Question was called for. The AMENDMENTS TO HB 493 WERE PASSED UNANIMOUSLY.

REP. SMITH MOVED and REP. HAMMOND SECONDED THAT THE BILL BE PASSED INCLUDING A STATEMENT OF INTENT AS AMENDED. HB 493 PASSED UNANIMOUSLY.

Vice-chairman O'Connell opened the hearing for the amendments to House Bills 489, 505, 530, 531, 532, 533 (Rep. Bardanouve's bills).

Morris Brussett was asked to explain the amendments: "Basically, the key is on the amendments on page 2 and the rest is to make everything consistent with this. In essence, instead of having one special revenue fund, we have a state special revenue fund that consists of monies from state sources that

are deposited with the state treasury, which are earmarked for the purpose of defraying different costs, and a federal special revenue fund for the federal monies, and another special revenue fund for others, three categories as opposed to one fund. All the other changes are to make the other bills consistent with this change."

Rep. Solberg: "Do these satisfy the Fiscal Analyst?"

Rep. Hammond: "Francis was pretty insistent that these satisfy the Fiscal Analyst; and these do satisfy the Fiscal Analyst."

Rep. Brand mentioned that Rep. Kathleen McBride does not like any of the amendments.

Rep. Driscoll: "I thought that these bills came out because of last session."

Lois Menzies: "Last session there was a bill that instructed the Department of Administration to prepare some bills to address the changes in the treasury fund structure."

Morris Brussett: "Last session there was legislation passed that said this will be the new fund structure, effective July 1, 1983. There were instructions that during this interim we would go through all the laws and come up with a bill to make all the laws consistent with that."

Rep. Driscoll: "Was the Fiscal Analyst in on writing these?"

Morris Brussett: "Yes, they were a member of the task force."

Rep. Driscoll: "Did they propose all of these changes in that task force?"

Morris Brusset: "Kathy Fabiano from our office was the Chairman. It is my understanding that, with reluctance, they agreed and they have since changed their mind. You may want to talk to the Fiscal Analyst."

KATHY FABIANO: "The task force decided where the state activity would be placed in the fund structure. The Department of Administration drafted the bills and then copies of the bills were sent to each member of the task force."

Rep. Driscoll: "Then, at that time did the Fiscal Analyst object to the first draft?"

Kathy Fabiano: "No, the Office of the Legislative Auditor objected to the first draft and that is when we changed it to the form as it was originally proposed to the legislature."

Rep. Brand: "How much time element did they have to look over those drafts?"

Kathy Fabiano: "I think we had them done in about March or April."

Rep. Brand: "How many drafts did you have all together?"

Kathy Fabiano: "Just one draft of each bill."

Morris Brussett: "I think we had an original draft and when the Legislative Auditor objected to it, we came up with a revised draft."

Rep. Brand: "Judy Rippingale, were you in favor of the first draft that was put before you of all these bills?"

JUDY RIPPINGALE, Fiscal Analyst: "Yes, we were in favor of the first draft as it came out of the task force and as it was presented by the Department of Administration. The first draft had been discussed and agreed to by three out of four members of the task force at that time. It was late November, early December when the Legislative Auditor did not agree with the first draft. I still think the first draft as agreed to by the task force was the best."

Rep. Brand introduced John Northy of the Legislative Auditor's Office and asked him to explain his version of the disagreement.

JOHN NORTHY: "I am not a technician in accounting, but I do know a little bit of the factual background, and as far as our office is concerned we were of the impression that there was agreement that the Fiscal Analyst had reluctantly agreed to the bills as originally introduced. The first we knew of the objection was at the original hearing on the bill. It took us completely by surprise."

There was much discussion over the disagreement over the wording of the amendments.

Rep. Mueller: "I guess, just the bottom line, these amendments are agreeable to you?"

Judy Rippingale: "Yes, they are agreeable to me."

John Northy introduced Mary Brison from the Auditor's Office to explain the difficulty they had experienced with the amendments.

MARY BRISON: "One of the concerns that we had was the consistency application in the special revenue fund and the ability of our office to give an opinion. We are concerned with general accounting principles in that they require a special revenue fund. In the future, if the Legislature wished to change that law, we would have to issue a qualified opinion. As it is now, you would have an inconsistency between what the law states and what the financial statements become because the funds, as they are proposed in the amendments, would be rolled into a special revenue fund. The law would be inconsistent with the final statements as they are presented. And, if we issued a qualified opinion, it could have an impact on the bond rating for the state of Montana."

REP. BLISS MOVED and REP. MUELLER SECONDED THE MOTION THAT THE AMENDMENTS BE ACCEPTED FOR ALL SIX BILLS. THE AMENDMENTS FOR HB 489, HB 505, HB 530, HB 531, HB 532 AND HB 533 PASSED UNANIMOUSLY.

REP. HAMMOND MOVED and REP. SMITH SECONDED THE MOTION THAT ALL SIX BILLS BE PASSED AS AMENDED. HB 489, HB 505, HB 530, HB 531, HB 532 and HB 533 AS AMENDED PASSED UNANIMOUSLY.

Rep. Hammond moved to adjourn at 9:57 a.m.

Joe Brand

REP. JOE BRAND, Chairman

HB 489
505
530
531
532
533

DEPARTMENT OF ADMINISTRATION

DIRECTOR'S OFFICE

TED SCHWINDEN, GOVERNOR — MITCHELL BUILDING

STATE OF MONTANA

(406) 444-2032 — HELENA, MONTANA 59620

TO: Representative Joe Hammond, Chairman
Representative Francis Bardanouve
Representative Clyde Smith
House State Administration Committee's Subcommittee on Treasury Fund Bills

FROM: Morris L. Brusett, Director MLB
Department of Administration

DATE: February 7, 1983

RE: TREASURY FUND BILLS

Enclosed are the 66 amendments required to segregate the proposed special revenue fund into 3 subfunds consisting of: 1) the state special revenue fund; 2) the federal special revenue fund; and 3) other special revenue funds.

As I indicated at the committee hearing, we believe these amendments are unnecessary for the reasons set forth in the attached memo that was prepared by Ms. Kathy Fabiano, Accounting Division, who headed up the interim Treasury Fund Structure Task Force.

It is my understanding that two of the other three members of the task force still concur with the task force's recommendation to include only one special revenue fund type in the statutes. The two members are the Office of Budget and Program Planning and the Office of the Legislative Auditor. The third member, the Office of the Legislative Fiscal Analyst, now opposes the original bill for the reasons set forth at the committee hearing.

Please let me know if you want to meet with the task force to consider this further.

cc Representative Joe Brand ✓
Representative Kathleen McBride
Judy Rippingale, Legislative Fiscal Analyst
Dave Lewis, Budget Director
Bob Ringwood, Legislative Auditor
Kathy Fabiano, Accounting Division
Lois Menzies, Committee Researcher

AN EQUAL OPPORTUNITY EMPLOYER

The following is intended to set forth the Department of Administration's reasons for drafting House Bills 489, 505 and 530-533 as they were introduced, rather than including the proposed amendments. These bills revise language in code sections that refer to the treasury fund structure.

Under the new fund structure effective July 1, 1983, Montana will have "special revenue funds" to account for the "proceeds of specific revenue sources that are restricted to expenditure for specified purposes". The majority of moneys accounted for in the special revenue funds consist of the current "earmarked" monies and all federal monies that are used for State operations. There is also a small amount of private money and money used to defray reimbursable expenditures (currently revolving funds) in the new special revenue funds.

The Department of Administration recognizes that, because fiscal concerns differ depending on the kind of money being considered, a distinction between the three kinds of special revenue money--earmarked, federal and other, has to be maintained. In fact, throughout the process to implement the new fund structure the Department maintained this separation for all accounting, budgeting, and reporting purposes.

-- The accounting system will continue to track the three kinds of money. We will use the exact same method as had been used in the past to distinguish between the current "Earmarked Revenue Fund" and "Federal and Private Revenue Fund" moneys. This is accomplished primarily through the use of accounting entities and revenue classification codes, each assigned unique identifying numbers.

-- The Executive budget for the 1984-1985 biennium continues to distinguish earmarked from federal and other moneys by referring to the "Earmarked Special Fund" and the "Federal and Private Special Fund". Because the accounting system will identify the three kinds of special revenue money, budgets prepared in the future can also continue to disclose the separate funding sources.

-- It is necessary to distinguish between revenue sources to properly apply budget amendment criteria. This is accomplished in the General Appropriations Act introduced this session by OBPP by first defining "State special revenue entities" and "other special revenue entities" in reference to the accounting system's unique identifying numbers, then in Section 3 of the Act

saying "no budget amendment may be approved to spend money from a State Special Revenue Fund accounting entity unless an emergency exists." House Bill 548, introduced this session by request of the Legislative Finance Committee, entitled "An Act to Generally Revise, Expand, and Clarify the Law Pertaining to Budget Amendments" uses the same means as the General Appropriations Act to define "State" special revenue entities.

-- The Montana Annual Financial Report will include financial statements with all special revenue funds combined, as required by generally accepted accounting principles. The report will also include separate financial statements showing the special revenue funds individually and will define the type of activity recorded in each.

Thus, for accounting, budgeting and reporting purposes Montana will continue to distinguish between State (earmarked), federal and other special revenue funds. However the MCA's, if House Bills 489, 505, and 530-533 pass as introduced, will remain non-specific and refer only to "a special revenue fund".

Although the proposed legislation can be amended to refer to "a State" special revenue fund, "a federal" special revenue fund, and "other" special revenue funds, the Department of Administration feels the numerous amendments are not necessary for the following reasons.

1. As discussed previously, special revenue fund moneys can be adequately segregated to meet all accounting, budgeting and reporting needs without the additional statutory language.

2. Even if amended, in almost all cases the statutes cannot be used as a reference to determine if a given dollar is federal, since very little federal money received by Montana is referred to in the statutes.

3. The Department polled three other states, each considered a leader in financial accounting and reporting, and found that all three avoided reference of any kind to the treasury funds in their statutes. Rather, in each state the placement of moneys in the correct fund was always handled administratively according to generally accepted accounting principles. If other states can achieve accountability for their

revenues without any statutory reference to funds, Montana can do the same with general, rather than specific, statutory fund requirements.

4. Statutory requirements for "a special revenue fund", as the bills were introduced, adequately ensures that the moneys referred to will never be placed in the General Fund, or any other type fund, without legislative approval.

PROPOSED AMENDMENTS TO HOUSE BILL 489-INTRODUCED BILL

1. Page 1, line 15
   Following: "a"
   Insert: "state"

2. page 3, line 1
   Following: " to""
   Insert: "state"

3. Page 3, line 3
   Following: "in"
   Strike: "the following code sections"
   Insert: "code section 39-51-406"

4. Page 3, line 4
   Following: " to""
   Strike: "a"
   Insert: "the federal"

5. Page 3, line 5
   Following: " revenue""
   Strike: lines 5 through 7
   Insert: "."

6. Page 3
   Following: line 7
   Insert:

   (2) Wherever in the following code sections the term "federal and private revenue" appears, it is changed to "an other special revenue": 17-3-1003, 76-13-209, 80-11-203, 80-11-210, 80-11-223 80-11-310, 81-8-610, 81-8-805.
   (3) Wherever in code section 53-24-104 the term "federal and private revenue" appears, it is changed to "the federal special revenue or an other special revenue".

Renumber: all subsequent sections

7. Page 3, line 12
   Following: "a"
   Insert: "state"

STANDING COMMITTEE REPORT PAGE ONE OF TWO

FEBRUARY 10, 19 83

MR. SPEAKER

We, your committee on STATE ADMINISTRATION

having had under consideration HOUSE Bill No. 489

first reading copy (white color)

"AN ACT TO GENERALLY REVISE LANGUAGE IN EXISTING CODE SECTIONS TO CONFORM ~~WITH~~ TO THE TREASURY FUND STRUCTURE TERMINOLOGY AS ESTABLISHED BY CHAPTER 28, LAWS OF 1981, AS REQUIRED BY CHAPTER 28, SECTION 5, LAWS OF 1981; INSTRUCTING THE CODE COMMISSIONER TO MAKE THE CHANGES; AND PROVIDING AN EFFECTIVE DATE."

HOUSE 489

Respectfully report as follows: That Bill No.

be amended as follows:

1. Page 1, line 15.
Following: "A"
Insert: "state"

2. Page 3, line 1.
Following: "to""
Insert: "state"

3. Page 3, line 4.
Following: """ following line 3
Insert: "the"
Following: "revenue"
Insert: "fund"
Following: "to""
Strike: "a"
Insert: "the other"

DO PASS

REP. JOE BRAND, Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY

FEBRUARY 10, 19 83

4. Page 3, line 5.
Following: "revenue"
Insert: "funds"
Following: "17-3-1003,"
Strike: "39-51-405, 53-24-104,"

5. Page 3.
Following: line 9
Insert: "(3) Whenever in 39-51-405 the term 'federal and private revenue' appears, it is changed to 'federal special revenue'.
(4) Whenever in 53-24-104 the term 'the federal and private revenue fund' appears, it is changed to 'the federal special revenue fund or the other special revenue funds'."

6. Page 3, line 12.
Following: "a"
Insert: "state"

REP. JOE BRAND, Chairman.

STATE PUB. CO.
Helena, Mont.

Second Reading - Committee of Whole

Noes: Daily, Pavlovich.
Total 2

Excused: Bliss, D. Brown, Fagg.
Total 3

Absent or not voting: Devlin, Donaldson, Hannah, Menahan, Quilici, Seifert, Vinger, Williams.
Total 8

Representative McBride in the Chair.

HB 441 - That HB 441 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bergene, Bertelsen, Brand, J. Brown, Compton, Connelly, Curtiss, Darko, Dozier, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Farris, Hammond, Hand, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Howe, Iverson, Jacobsen, J. Jensen, R. Jensen, Jones, Kadas, Keenan, Kemmis, Kennerly, Keyser, Kitselman, Koehnke, Lory, Lybeck, McBride, McCormick, Marks, Manuel, Metcalf, Miller, Mueller, Neuman, Nilson, Nisbet, Nordtvedt, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Quilici, Ramirez, Ream, Roush, Ryan, Sales, Sands, Saunders, Schultz, Schye, Shontz, Smith, Solberg, Spaeth, Stobie, Swift, Switzer, Thoft, Underdal, Veleber, Vincent, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 88

Noes: None.
Total 0

Excused: Bliss, D. Brown, Fagg.
Total 3

Absent or not voting: Bengtson, Daily, Devlin, Donaldson, Fabrega, Hannah, Menahan, Seifert, Vinger.
Total 9

HB 468 - That HB 468 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bengtson, Bertelsen, Brand, J. Brown, Compton, Daily, Darko, Devlin, Donaldson, Dozier, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Farris, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Howe, Iverson, Jacobsen, J. Jensen, R. Jensen, Jones, Kadas, Keenan, Kemmis, Kennerly, Keyser, Kitselman, Koehnke, Lory, Lybeck, McBride, Metcalf, Miller, Mueller, Neuman, Nilson, Nisbet, Nordtvedt, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Ramirez, Ream, Roush, Ryan, Sales, Sands, Saunders, Schultz, Schye, Seifert, Shontz, Smith, Solberg, Spaeth, Stobie, Swift, Thoft, Underdal, Veleber, Vincent, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki.
Total 87

Noes: Connelly, McCormick, Switzer.
Total 3

Excused: Bliss, D. Brown, Fagg.
Total 3

Absent or not voting: Bergene, Curtiss, Marks, Manuel, Menahan, Quilici, Vinger.
Total 7

HB 489 - That HB 489 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bengtson, Bergene, Bertelsen, Brand, J. Brown, Compton, Connelly, Curtiss, Daily, Darko, Devlin, Donaldson, Dozier, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Farris, Hammond, Hand, Hannah, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Howe, Iverson, Jacobsen, J. Jensen, R. Jensen, Jones, Kadas, Keenan, Kemmis, Kennerly, Keyser, Kitselman, Koehnke, Lory, Lybeck, McCormick, Metcalf, Miller, Mueller, Neuman, Nilson, Nisbet, Nordtvedt, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Ramirez, Ream, Roush, Ryan, Sales, Sands, Saunders, Schultz, Schye, Seifert, Shontz, Smith, Solberg, Spaeth, Stobie, Swift, Thoft, Underdal, Veleber, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Zabrocki.
Total 88

Noes: McBride.
Total 1

Excused: Bliss, D. Brown, Fagg.
Total 3

Absent or not voting: Hansen, Hanson, Marks, Manuel, Menahan, Quilici, Switzer, Yardley.
Total 8

HB 514 - Representative Spaeth moved that HB 514 do pass. Representative Williams made a substitute motion that HB 514 do not pass. The substitute motion failed as follows:

Ayes: Bachini, J. Brown, Daily, Darko, Dozier, Driscoll, Farris, Hammond, Hand, Hanson, Harrington, Hart, Holliday, Kadas, Keenan, Kemmis, Kennerly, Lybeck, McBride, McCormick, Menahan, Miller, Nilson, Nisbet, Nordtvedt, O'Connell, Pavlovich, Pistoria, Ream, Roush, Schye, Veleber, Vincent, Waldron, Williams.
Total 35

Noes: Abrams, Addy, Asay, Bardanouve, Bengtson, Bergene, Bertelsen, Compton, Connelly, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Hannah, Hansen, Harp, Harper, Hemstad, Howe, Iverson, Jacobsen, J. Jensen, R. Jensen, Jones, Keyser, Kitselman, Koehnke, Lory, Marks, Manuel, Metcalf, Mueller, Neuman, Peck, Phillips, Ramirez, Ryan, Sales, Sands, Saunders, Schultz, Seifert, Shontz, Smith, Solberg, Spaeth, Stobie, Swift, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow, Zabrocki.
Total 59

Excused: Bliss, D. Brown, Fagg.
Total 3

Absent or not voting: Brand, Quilici, Yardley.
Total 3

That HB 514 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bardanouve, Bengtson, Bergene, Bertelsen, Compton, Connelly, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Hannah, Harp, Harper, Hemstad, Iverson, Jacobsen, R. Jensen, Jones, Keyser, Kitselman, Koehnke, Lory, Lybeck, Marks, Manuel, Metcalf, Mueller, Neuman, Phillips, Ramirez, Ryan, Sales, Sands, Schultz, Schye, Seifert, Shontz, Smith, Solberg, Spaeth, Stobie, Swift, Switzer, Thoft, Underdal, Vincent, Vinger, Wallin, Winslow.
Total 55

Noes: Asay, Bachini, J. Brown, Daily, Darko, Dozier, Driscoll, Farris, Hammond, Hand, Hansen, Hanson, Harrington, Hart, Holliday, J. Jensen,

HB 885, introduced by Jacobsen, Thoft, Bengtson, Underdal, Kolstad, Shaw, Spaeth, Bachini, Keyser, Lane, E. Smith, Lee, Aklestad, Devlin, Tveit, Ochsner, Stimatz, Abrams, Harp, C. Smith, Hager, Stephens, Dover. Referred to Committee on State Administration.

HB 886, introduced by Pavlovich. Referred to Committee on Business and Industry.

HJR 29, introduced by Ramirez, J. Brown, Curtiss, Darko, Eudaily, Keyser, Seifert, Spaeth, Addy, (By Request of the House Judiciary Committee). Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 377 passed as follows:

Ayes: Addy, Bardanouve, Bergene, Bertelsen, Brand, J. Brown, Connelly, Darko, Dozier, Driscoll, Eudaily, Fabrega, Fagg, Hammond, Hand, Hannah, Hansen, Harp, Harper, Harrington, Hart, Hemstad, Howe, J. Jensen, R. Jensen, Kadas, Keenan, Kennerly, Kitselman, Lory, McBride, McCormick, Menahan, Metcalf, Miller, Mueller, Neuman, Nilson, Nisbet, Nordtvedt, Pavlovich, Peck, Pistoria, Quilici, Ramirez, Ream, Sands, Schye, Seifert, Shontz, Spaeth, Veleber, Vincent, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 60

Noes: Abrams, Asay, Bachini, Bengtson, Bliss, Compton, Curtiss, Daily, Devlin, Donaldson, Ellerd, Ellison, Ernst, Farris, Hanson, Holliday, Iverson, Jacobsen, Jones, Keyser, Koehnke, Lybeck, Marks, Manuel, O'Connell, Phillips, Roush, Ryan, Sales, Saunders, Schultz, Smith, Solberg, Stobie, Swift, Switzer, Thoft, Underdal, Vinger.
Total 39

Excused: None.
Total 0

Absent or not voting: D. Brown.
Total 1

HB 441 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bengtson, Bergene, Bertelsen, Bliss, Brand, D. Brown, J. Brown, Compton, Connelly, Curtiss, Darko, Devlin, Donaldson, Dozier, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Farris, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Howe, Iverson, Jacobsen, J. Jensen, R. Jensen, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Lory, Lybeck, McBride, McCormick, Marks, Manuel, Menahan, Metcalf, Miller, Mueller, Neuman, Nilson, Nisbet, Nordtvedt, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Quilici, Ramirez, Ream, Roush, Ryan, Sales, Sands, Saunders, Schultz, Schye, Seifert, Shontz, Smith, Solberg, Spaeth, Stobie, Swift, Switzer, Thoft, Underdal, Veleber, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Daily.
Total 1

HB 451 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bergene, Bertelsen, Brand, D. Brown, J. Brown, Connelly, Daily, Darko, Dozier, Driscoll, Fabrega, Farris, Hammond, Hand, Hansen, Harp, Harper, Harrington, Hart, Hemstad, Howe, J. Jensen, R. Jensen, Kadas, Keenan, Kennerly, Koehnke, Lybeck, McBride, McCormick, Menahan, Metcalf, Miller, Mueller, Neuman, Nilson, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Quilici, Ream, Roush, Saunders, Schye, Shontz, Veleber, Vincent, Waldron, Williams, Yardley, Zabrocki, Mr. Speaker.
Total 58

Noes: Asay, Bengtson, Bliss, Compton, Curtiss, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fagg, Hannah, Hanson, Holliday, Iverson, Jacobsen, Jones, Keyser, Kitselman, Lory, Marks, Manuel, Nordtvedt, Phillips, Ramirez, Ryan, Sales, Sands, Schultz, Seifert, Smith, Solberg, Spaeth, Stobie, Swift, Switzer, Thoft, Underdal, Vinger, Wallin, Winslow.
Total 42

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 489 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bengtson, Bergene, Bertelsen, Bliss, Brand, J. Brown, Compton, Connelly, Curtiss, Daily, Darko, Devlin, Donaldson, Dozier, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Farris, Hammond, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hemstad, Holliday, Howe, Iverson, Jacobsen, J. Jensen, R. Jensen, Jones, Kadas, Keenan, Kennerly, Keyser, Kitselman, Koehnke, Lory, Lybeck, McCormick, Marks, Manuel, Menahan, Metcalf, Miller, Mueller, Neuman, Nilson, Nisbet, Nordtvedt, O'Connell, Pavlovich, Peck, Phillips, Pistoria, Quilici, Ramirez, Ream, Roush, Ryan, Sales, Sands, Saunders, Schultz, Schye, Seifert, Shontz, Smith, Solberg, Spaeth, Stobie, Swift, Switzer, Thoft, Underdal, Veleber, Vincent, Vinger, Waldron, Wallin, Williams, Winslow, Yardley, Zabrocki, Mr. Speaker.
Total 98

Noes: McBride.
Total 1

Excused: None.
Total 0

Absent or not voting: D. Brown.
Total 1

HB 514 passed as follows:

Ayes: Abrams, Addy, Bardanouve, Bengtson, Bertelsen, Bliss, J. Brown, Connelly, Curtiss, Devlin, Ellerd, Ellison, Ernst, Eudaily, Fabrega, Fagg, Hannah, Hansen, Hanson, Harp, Harper, Hemstad, Holliday, Howe, Iverson, Jacobsen, J. Jensen, Jones, Kennerly, Keyser, Kitselman, Koehnke, Lory, Lybeck, Manuel, Metcalf, Mueller, Neuman, Nilson, Nordtvedt, Quilici, Ramirez, Ryan, Sales, Sands, Schultz, Seifert, Shontz, Smith, Solberg, Spaeth, Stobie, Swift, Thoft, Underdal, Vinger, Wallin, Winslow, Zabrocki.
Total 59

48th LEGISLATIVE SESSION

COMMITTEE ON Senate Judiciary

BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO NOT DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CONCURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CONCURRED IN DATE
415	2-8-83	3-22-83	3-22-83					3-22-83	
416	3-2-83	3-22-83	3-22-83						3-22-83
424	2-15-83		REFERRED TO STATE ADMINISTRATION						
427	2-15-83		REFERRED TO STATE ADMINISTRATION						
429	2-9-83	3-11-83	3-11-83					3-11-83	
433	2-9-83	3-3-83	3-3-83				3-3-83		
438	3-2-83	3-18-83	TABLED						
452	2-7-83	2-11-83	2-17-83					2-17-83	
467	2-21-83	3-18-83	3-19-83				3-19-83		
481	2-9-83	3-3-83	3-3-83				3-3-83		
489	2-17-83	3-14-83	3-14-83				3-14-83		
501	2-18-83	3-15-83	3-15-83				3-15-83		
502	2-10-83	3-8-83	3-8-83				3-8-83		
505	3-1-83	3-14-83	3-14-83				3-14-83		
507	2-15-83	3-11-83	3-11-83					3-11-83	
512	2-11-83	3-7-83	TABLED						

(Use Separate Sheet for Senate, House Bills, and Resolutions)

MINUTES OF MEETING
SENATE JUDICIARY COMMITTEE
March 14, 1983

The forty-second meeting of the Senate Judiciary Committee was called to order by Chairman Jean A. Turnage on March 14, 1983, at 10:03 a.m., Room 325, State Capitol.

ROLL CALL: All members were present.

CONSIDERATION OF HOUSE BILL 505: Representative Bardanouve stated that he would like to address House Bills 489, 530, 533, 505, 531 and 532 as a whole rather than individually. Representative Bardanouve stated that these bills are intended to reflect a change in terminology and to bring Montana's laws into conformity with GAAP. He informed the Committee that GAAP stood for Generally Accepted Accounting Practices. Representative Bardanouve then explained that in HB531, the retirement division account will, under the terms of the bill, be referred to as the pension trust fund. He explained that this trust fund is not a permanent trust fund. HB 532 amends the worker's compensation fund law to refer to the industrial insurance account as a special revenue fund. This is an expendable trust. HB 489 will refer to the earmark revenue funds as the state special revenue funds. Representative Bardanouve testified that with this new terminology we will have an up-dated, modern form of laws for fiscal control. He also informed the Committee that Montana is in the forefront as far as modernizing our laws.

Morris Brusett, Director of the Department of Administration, testifie that Montana needs to go along with Generally Accepted Accounting Practices. He stated a special task force which had been formed was in total agreement with these principles.

There being no further proponents and no opponents, the hearing was opened to questions from the Committee.

Senator Galt inquired as to who was the Montana State Treasurer. Mr. Brusett responded that he was the ex officio state treasurer. Senator Turnage commented that these bills were an improvement and, hopefully, would not create any problems in the legislative process.

CONSIDERATION OF HOUSE BILL 179: Representative Bardanouve stated that HB179 is a bill to amend a law that he had introduced as a bill in 1963. This bill amends the Montana unclaimed property laws. Representative Bardanouve stated that the 1963 law regarding unclaimed property is responsbile for placing $3,703,000 in the State treasury. The interest collected on this money goes into the education trust fund to help our schools. Representative Bardanouve

testified that $200,000 has been given back to the citizens of Montana under the 1963 law. This bill modernizes what the state can claim as unclaimed property and gives specific dates for publication of unclaimed property by the State. This bill also sets up a statute of limitations of ten years and includes penalties for persons who do not deliver unclaimed property to the state.

PROPONENTS: Mr. Jim Madison of the Miscellaneous Tax Division, Montana Department of Revenue, testified that he is in favor of HB179. He stated that civil penalties under the law are much better than criminal penalties.

OPPOSITION: Mr. Glenn Drake, representing various insurance companies stated it was his opinion the term "life" should be inserted on p.3, line 1, in front of the word "insurance". Representative Bardanouve stated that it was his intention to include the proceeds of all forms of insurance in the bill and that perhaps "life insurance" should be replaced throughout the bill with "assets".

There being no further proponents or opponents, the hearing was opened to questions from the Committee.

Senator Halligan inquired whether HB179 referred to all property or only to intangible property. Senator Turnage explained that the bill covered tangible and intangible property.

Representative Bardanouve explained about Post Office Savings accounts established in the 1930's and stated there may be a lot of money still in these accounts. Senator Berg then asked whether this bill would affect the federal government and was told by Representative Bardanouve that HB179 would only affect state governments.

ACTION ON HOUSE BILL 660: Proposed amendments were submitted by Senator Turnage and by Ann MacIntyre of the Human Rights Commission. Since these amendments were substantially the same, Ann MacIntyre's amendments were voted on with one change. Senator Turnage questioned the use of "may" in line 25, page 1. Senator Mazurek made a motion to pass the amendments as proposed by Ann MacIntyre with the Committee's addition. The motion carried unanimously. Senator Mazurek then moved that the bill BE CONCURRED IN AS AMENDED. The motion carried unanimously.

ACTION ON HOUSE BILLS 489, 530, 533, 505, 531 and 532: Senator Shaw made a blanket motion that House Bills 489, 530, 533, 505, 531,

and 532 BE CONCURRED IN. His motion carried unanimously.

ACTION ON HOUSE BILL 179: Senator Hazelbaker made a motion to strike the word "life" from the bill wherever it appears in front of the word "insurance". The motion carried with Senator Crippen voting in opposition. Senator Hazelbaker then made a motion that HB179 BE CONCURRED IN AS AMENDED. The motion carried with Senator Crippen voting in opposition.

FURTHER CONSIDERATION OF HOUSE BILL 825: Mr. Ward A. Shanahan, representing Northern Tier Pipeline, testified that he was concerned with the amendments made to HB825 on March 12. Mr. Shanahan stated that if the Committee strikes lines 2-6 on page 5 of the bill, the time frame becomes 1 to 1 1/2 years as litigation then falls under the Montana Rules of Civil Procedure. Since HB825 was already out of Committee, Mr. Shanahan was informed that the bill would have to be amended on the floor.

There being no further business to come before the Committee, the meeting was adjourned at 11:25 a.m.

JEAN A. TURNAGE, Chairman

COMMITTEE REPORT

ROLL CALL

JUDICIARY COMMITTEE

48th LEGISLATIVE SESSION - - 1983 Date 3-14-83

NAME	PRESENT	ABSENT	EXCUSED
Berg, Harry K. (D)	✓		
Brown, Bob (R)	✓		
Crippen, Bruce D. (R)	✓		
Daniels, M. K. (D)	✓		
Galt, Jack E. (R)	✓		
Halligan, Mike (D)	✓		
Hazelbaker, Frank W. (R)	✓		
Mazurek, Joseph P. (D)	✓		
Shaw, James N. (R)	✓		
Turnage, Jean A. (R)	✓		

STANDING COMMITTEE REPORT

March 14, 19 83

MR. President

We, your committee on Senate Judiciary

having had under consideration House Bill No. 489

Respectfully report as follows: That House Bill No. 489

DO PASS

BE CONCURRED IN

Jean A. Turnage
Chairman.

STATE PUB. CO.
Helena, Mont.

2nd Reading - Committee of Whole

HB 200 - That HB 200 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Van Valkenburg, Mr. President.
Total 48

Noes: None.
Total 0

Excused: R. Manning, Tveit.
Total 2

Absent or not voting: None.
Total 0

HB 222 - That HB 222 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Van Valkenburg, Mr. President.
Total 48

Noes: None.
Total 0

Excused: R. Manning, Tveit.
Total 2

Absent or not voting: None.
Total 0

HB 270 - That HB 270 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Van Valkenburg, Mr. President.
Total 48

Noes: None.
Total 0

Excused: R. Manning, Tveit.
Total 2

Absent or not voting: None.
Total 0

HB 489 - That HB 489 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt,

Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Van Valkenburg, Mr. President.
Total 48

Noes: None.
Total 0

Excused: R. Manning, Tveit.
Total 2

Absent or not voting: None.
Total 0

HB 505 - That HB 505 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Van Valkenburg, Mr. President.
Total 48

Noes: None.
Total 0

Excused: R. Manning, Tveit.
Total 2

Absent or not voting: None.
Total 0

HB 530 - That HB 530 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Van Valkenburg, Mr. President.
Total 48

Noes: None.
Total 0

Excused: R. Manning, Tveit.
Total 2

Absent or not voting: None.
Total 0

HB 531 - That HB 531 be concurred in. Motion carried as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson,

3rd Reading

Absent or not voting: Tveit.
Total 1

HB 270 concurred in as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 427 concurred in as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Van Valkenburg, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Tveit.
Total 1

HB 437 concurred in as follows:

Ayes: Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hazelbaker, Himsl, Keating, Kolstad, Lane, Lee, Lynch, R. Manning, McCallum, Mohar, Norman, Ochsner, Severson, Shaw, Smith, Stimatz, Thomas, Towe, Tveit, Van Valkenburg, Mr. President.
Total 39

Noes: Aklestad, Daniels, Dover, Hammond, Jacobson, D. Manning, Marbut, Mazurek, Regan, Story, Turnage.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 489 concurred in as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 505 concurred in as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Goodover.
Total 1

HB 530 concurred in as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R. Manning, Marbut, Mazurek, McCallum, Mohar, Norman, Ochsner, Regan, Severson, Shaw, Smith, Stimatz, Story, Thomas, Towe, Turnage, Tveit, Van Valkenburg, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 531 concurred in as follows:

Ayes: Aklestad, Berg, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Dover, Eck, Elliott, Etchart, Fuller, Gage, Galt, Goodover, Graham, Haffey, Hager, Halligan, Hammond, Hazelbaker, Himsl, Jacobson, Keating, Kolstad, Lane, Lee, Lynch, D. Manning, R.

HOUSE BILL NO. 489

INTRODUCED BY BARDANOUVE

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE LANGUAGE IN EXISTING CODE SECTIONS TO CONFORM TO THE TREASURY FUND STRUCTURE TERMINOLOGY AS ESTABLISHED BY CHAPTER 28, LAWS OF 1981, AS REQUIRED BY CHAPTER 28, SECTION 5, LAWS OF 1981; INSTRUCTING THE CODE COMMISSIONER TO MAKE THE CHANGES; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Earmarked revenue funds renamed. (1) Wherever in the following code sections the term "earmarked revenue" appears, it is changed to "a STATE special revenue": 7-14-303, 7-21-2105, 13-37-304, 15-1-501, 15-10-105, 15-24-923, 15-24-924, 15-24-1001, 15-70-101, 15-70-102, 15-70-312, 15-71-104, 16-1-404, 16-1-410, 16-1-411, 16-11-124, 17-3-201, 18-6-103, 19-11-513, 19-11-514, 19-11-606, 19-13-1006, 20-7-501, 20-9-331, 20-9-333, 20-9-342, 20-9-343, 20-9-352, 22-2-107, 22-2-109, 23-1-105, 23-2-512, 23-2-611, 23-2-612, 23-2-615, 23-2-616, 23-2-619, 23-2-644, 23-4-305, 37-3-314, 37-4-202, 37-4-327, 37-6-305, 37-7-324, 37-8-431, 37-8-432, 37-9-306, 37-10-203, 37-10-313, 37-11-203, 37-11-304, 37-12-308, 37-14-311, 37-15-310, 37-16-408, 37-17-307, 37-18-308, 37-20-302, 37-30-201, 37-31-324, 37-32-305, 37-40-305, 37-42-309, 37-43-202, 37-43-303, 37-50-315, 37-51-206, 37-51-207, 37-51-208, 37-51-311, 37-60-313, 37-65-304, 37-65-307, 37-66-307, 37-67-317, 37-68-313, 37-69-308, 39-71-205, 44-1-501, 44-3-302, 50-15-111, 50-60-508, 50-71-325, 53-2-205, 53-24-108, 60-3-303, 61-3-102, 61-3-103, 61-3-108, 61-3-204, 61-3-321, 61-3-406, 61-3-502, 61-8-204, 61-10-126, 61-10-148, 61-10-226, 61-12-701, 61-12-703, 67-1-301, 67-1-303, 69-1-223, 70-2-113, 75-1-205, 75-2-211, 75-2-212, 75-2-427, 75-6-104, 75-15-122, 75-20-112, 75-20-215, 75-20-408, 76-4-1108, 76-4-1212, 76-4-1213(3), 76-15-530, 76-16-106(2), 77-1-604, 77-5-204, 80-4-119, 80-4-307, 80-7-704, 80-9-207, 80-10-104, 80-10-207, 80-10-208(5), 81-1-103, 81-2-102(1)(c), 81-3-107, 81-3-205, 81-3-210, 81-3-211, 81-3-214, 81-3-216, 81-3-222, 81-3-231, 81-4-606, 81-7-104, 81-7-105, 81-7-118, 81-7-119, 81-7-120, 81-7-122, 81-7-504, 81-8-256, 81-8-304, 81-9-113, 81-9-411, 81-23-202, 81-23-204, 81-23-403, 82-4-311, 82-11-135, 85-2-124, 85-2-241, 85-2-242, 85-2-318, 85-3-213, 87-1-104, 87-1-201, 87-1-206, 87-1-405, 87-2-113, 87-2-204, 87-4-104, 87-4-602, 87-4-808, 87-5-509(3), 90-4-103, 90-6-211, 90-6-304.

(2) Wherever in 2-15-3005 the term "earmarked revenue" appears, it is changed to "enterprise".

(3) Wherever in 85-1-332 the word "earmarked" appears,

REFERENCE BILL

it is changed to "STATE special revenue".

Section 2. Federal and private revenue funds renamed. (1) Wherever in the following code sections the term "THE federal and private revenue FUND" appears, it is changed to "a THE OTHER special revenue FUNDS": 17-3-1003, ~~39-51-406~~, ~~53-24-104~~, 76-13-209, 80-11-203, 80-11-210, 80-11-223, 80-11-310, 81-8-610, 81-8-805.

(2) Wherever in 18-2-107 the term "federal and private revenue" appears, it is changed to "capital projects".

(3) WHENEVER IN 39-51-406 THE TERM "FEDERAL AND PRIVATE REVENUE" APPEARS, IT IS CHANGED TO "FEDERAL SPECIAL REVENUE".

(4) WHENEVER IN 53-24-104 THE TERM "THE FEDERAL AND PRIVATE REVENUE FUND" APPEARS, IT IS CHANGED TO "THE FEDERAL SPECIAL REVENUE FUND OR THE OTHER SPECIAL REVENUE FUNDS".

Section 3. Revolving funds renamed. (1) Wherever in the following code sections the term "revolving fund" appears, it is changed to "a STATE special revenue fund": 1-11-301, 2-4-312, 2-4-313, 2-18-403, 5-11-209, 5-13-403, 17-8-305, 61-12-504.

(2) Wherever in the following code sections the term "revolving fund" appears, it is changed to "enterprise fund": 2-7-503, 2-7-516, 2-7-518, 16-2-108, 20-3-108, 20-7-201, 67-11-222.

(3) Wherever in the following code sections the term

"revolving fund" appears, it is changed to "enterprise or internal service fund": 18-6-101, 18-6-103.

(4) Wherever in 18-5-203 the term "revolving fund" appears, it is changed to "internal service fund".

Section 4. Code commissioner instruction. The code commissioner shall change the MCA sections listed in sections 1 through 3 in accordance with this act and may make incidental changes as necessary to reflect the intent of these sections as amended by this act without changing the meaning.

Section 5. Effective date. This act is effective July 1, 1983.

-End-